IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE ELEVENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

And
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO : 11635 of 2005

Between:

SMT. D.KUSUMA KUMARI, W/O. DUDDU Prabhakar,
Ambedkar Nagar, Cheemakurti, Prakasam District.

..... PETITIONER

AND

1 The S.H.O. Markarpur, Prakasam District.
2 The Superintendent of Police, Prakasam District, Ongole.
3 The Deputy Superintendent of Police, Markapur, Prakasam District,

Ongole.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction, or an writ , more particularly one in the nature of writ of Habeas Corpus directing the Respondents herein to produce the detenue Viz. D.Prabhakar husband of the petitioner herein, before this Hon'ble Court, who was illegally detained by D.S.P., Markapur, Prakasam District since 9.5.2005 and set him at liberty forthwith, and pass such others as this Honurable Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner : TELEGRAM

Counsel for the Respondents : THE ADVOCATE-GENERAL &

GP FOR HOME

The Court made the following :

ORDER : (Per Hon'ble Sri Bilal Nazki, ACJ)

During the course of hearing of this writ petition, we had directed that the Magistrate concerned shall record the statement about the torture to which the alleged detenu was subjected to by the Police during his confinement. Statement has now been recorded by the Magistrate, in which, serious allegations have been levelled against various Police Officers.

The learned Advocate-General has appeared and has assured this Court that suitable departmental action shall be taken against the officers if the allegations levelled are proved right in an enquiry, which the Department will hold. He also assures that there will be prima facie a criminal case, and then consequential steps of prosecuting the guilty shall also be taken.

In view of this assurance, no further orders are necessary to be passed in this writ petition, which is accordingly closed. No order as to costs.

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(BILAL NAZKI, ACJ)

11th July 2005.

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(G.CHANDRAIAH, J)

ajr

……REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Station House Officer, Markapur, Prakasam District.
2 The Superintendent of Police, Prakasam District, Ongole.
3 The Deputy Superintendent of Police, Markapur, Prakasam District, Ongole.

4 Two C.Cs. to the GP for Home, High Court of A.P., Hyderabad (OUT)

5 Two C.D. copies.